IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 21753 of 2003

Between:

K.Nagaraju s/o Veeresham
K.Nagaraju Old Market,
Siddipet Medak Dt.

..... PETITIONER

AND

1 The Commissioner of Prohibition & Excise
The Commissioner of Prohibition & Excise Hyderabad
2 The Dy.Commissioner
The Dy.Commissioner Prohibition & Excise Department
Warangal Division Warangal
3 The Prohibition & Excise Inspector
The Prohibition & Excise Inspector Jangoan
Warangal

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declaring the proceedings of the second respondent the Deputy Commissioner, Prohibition & Excise passed In Cr.No. 1683/2002/P&E?B2 dated 23/10/2002 as upheld by the proceedings of the first respondent the commissioner, prohibition & Excise in Cr.NO.18085/02/CPE/D4 dated 30/07/2003 as being arbitrary, illegal and violative of Articles 14 and 21 of the constitution of India and also the provisions of the AP Excise Act and the circulars issued by the first respondent fro time to time in respect of transportation of black jaggery and consequentially direct the respondents to release the vehilce of the petitioner bering Registrtion No.AP-23/T. 3481 'Eicher' and also the black jaggery which was seized and cinfiscated through the impugned

proceedings and issue such other writ or orders or directins.

Counsel for the Petitioner:MR.CH.SAMSON BABU

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court made the following :

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

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The Court made the following :

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ORDER:

It is represented by the learned Government Pleader appearing for the respondents that against the impugned proceedings a regular appeal is already pending on the file of the Deputy Commissioner of Excise and having regard to the interim orders already passed, no further orders are necessary in this Writ Petition.

Accordingly, the Writ petition is dismissed and the petitioner is at liberty to pursue the appeal and raise all the objections if any, which shall be considered on merits in accordance with law.

26.10.2004.

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To

1 The Commissioner of Prohibition & Excise
The Commissioner of Prohibition & Excise Hyderabad
2 The Dy.Commissioner
The Dy.Commissioner Prohibition & Excise Department
Warangal Division Warangal
3 The Prohibition & Excise Inspector
The Prohibition & Excise Inspector Jangoan
Warangal

4. 2CCs to G.P. for Prohibition and Excise, High Court Buildings, High Court of A.P., Hyderabad. (OUT)

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